

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ADAM TOMISSEK.

Plaintiff,

VS.

YAKIMA COUNTY JAIL, et al.,

Defendants.

NO: 12-CV-3083-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION WITHOUT
PREJUDICE**

Magistrate Judge James P. Hutton filed a Report and Recommendation, ECF No. 10, recommending Mr. Tomisser's request to Voluntarily Dismiss this action be granted. Defendants have not been served. There being no objections, the Court **ADOPTS** the Report and Recommendation. Plaintiff's Motion, ECF No. 4, is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff, and close the file.

DATED this 18th day of July 2012.

s/ Rosanna Malouf Peterson

ROSANNA MALOUF PETERSON
Chief United States District Court Judge